

Attorneys for Trove Brands, LLC
d/b/a The BlenderBottle Company

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TROVE BRANDS, LLC d/b/a THE
BLENDERBOTTLE COMPANY, a Utah
limited liability company,

Plaintiff,

V.

TRRS MAGNATE LLC d/b/a HYDRA CUP,
Defendant.

No. 2:22-cv-02222-TLN-CKD

PLAINTIFF'S REQUEST TO SEAL DOCUMENTS

Hon. Troy L. Nunley

Pursuant to Civil Local Rule 141, Plaintiff Trove Brands, LLC (“BlenderBottle”) respectfully requests to seal Exhibits 1 and 2 of the Declaration of Christian Boettcher in support of Plaintiff’s Reply, and portions of Plaintiff’s Reply in support of its Cross-Motion.

“[T]he courts of this country recognize a general right to inspect and copy public records and documents, including judicial records and documents.” *Nixon v. Warner Commc’ns, Inc.*, 435 U.S. 589, 597 (1978). However, the public’s “access to judicial records is not absolute.” *Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006). “Every Court has supervisory power over its own records and files,” and may provide access to documents at its discretion. *Hagestad v. Tragesser*, 49 F.3d 1430, 1434 (9th Cir. 1995) (citing *Nixon*, 435 U.S. at 598). In the case of dispositive motions, the party seeking to seal the record “must articulate compelling reasons supported by specific factual findings that outweigh the general history of access and the public policies favoring disclosure, such as the public interest in understanding the judicial process.” *Kamakana*, 447 F.3d at 1178–79.

BlenderBottle files this motion to seal pursuant to Section 7.2(d) of the parties’ Joint Stipulated Protective Order, Dkt. 34. On February 19, 2024, BlenderBottle produced to Hydra Cup documents it received from Mr. Harlan. On March 11, 2024, after the deadline to designate the documents as confidential under Section 7.2(d) of the Protective Order, Hydra Cup requested that all documents produced by Mr. Harlan be designated Confidential – Attorneys’ Eyes Only.

Exhibits 1 and 2 to the Boettcher Declaration are emails produced by Mr. Harlan, and attachments thereto. BlenderBottle’s Reply directly quotes from and reproduces images from Exhibits 1 and 2.

While BlenderBottle does not agree that the Harlan emails contain Confidential - Attorneys’ Eyes Only information, or that Hydra Cup’s attempt to designate them confidential was effective, the parties dispute these points. BlenderBottle therefore seeks leave (i) to file under seal Exhibits 1 - 2; and (ii) to file a redacted copy of its reply brief to remove information derived from these exhibits. A highlighted copy of BlenderBottle’s brief showing what material it seeks to redact is being emailed to the Court, along with Exhibits 1- 2.

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Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: March 18, 2024

By: /s/ Jacob R. Rosenbaum

Ali S. Razai
Sean M. Murray
Jacob R. Rosenbaum
Christian D. Boettcher

Counsel for Plaintiff TROVE BRANDS, LLC d/b/a THE
BLENDERBOTTLE COMPANY

CERTIFICATE OF SERVICE

I am a citizen of the United States of America and I am employed in Irvine, California. I am over the age of 18 and not a party to the within action. My business address is 2040 Main Street, Fourteenth Floor, Irvine, California.

On March 18, 2024, I served **PLAINTIFF'S REQUEST TO SEAL** on Defendant TRRS Magnate LLC d/b/a Hydra Cup shown below via CM/ECF:

CASEY SCOTT MCKAY
casey@mclaw.io
1441 U St. NW, Suite 712
Washington, DC, D.C. 20009
Telephone: (202) 743-1972

MEGHAN PRATSCHLER
meghan@meghantheattorney.com
95 3rd St., 2nd Floor
San Francisco, CA 94103-3103
Telephone: (415) 335-9226

I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

Executed on March 18, 2024, at Irvine, California.

/s/ Estefania Munoz
Estefania Munoz